

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

Before the Honorable Damian L. Martinez
United States Magistrate Judge

CLERK'S MINUTES

Duran v. Anaya
2:24-cv-0314 JHR-DLM

August 8, 2024

Attorney for Plaintiffs: Todd J. Bullion

Attorney for Defendants: Joseph Haupt

Proceeding: Rule 16 Scheduling Conference

Start Time: 9:06 a.m.

Stop Time: 9:23 a.m.

Total Time: 17 minutes

Clerk: IM

NOTES

- The Court greeted the parties.
- The Court asked counsel for Plaintiffs who would be attending the October 23, 2024 Settlement Conference. Plaintiffs' counsel informed the Court that his co-counsel and Plaintiff Marie Duran would attend.
- Plaintiffs' counsel also informed the Court one of the Plaintiff Isaac Granado had passed away recently and his mother would attend in his place.
- The Court confirmed that Plaintiffs' counsel had not informed the Court nor moved to amend the Complaint to designate Granado's mother as his personal representative.
- The Court asked Defendants' counsel whether he would oppose a motion to amend the complaint to make that change, and he said he would not.
- The Court advised Plaintiffs' counsel to file an unopposed motion substituting the personal representative of the Estate of Isaac Granado and a proposed order no later than September 6, 2024.

- The Court advised both parties that if any non-attorney will require use of electronics in the courtroom during the settlement conference, they must file a motion naming the individual and requesting permission to do so.
- The Court inquired about Defendants' position at the previous status conference regarding whether and when they will file a motion for qualified immunity. Defense counsel informed the Court they will do so at the summary judgment stage but that filing such motion will not impact settlement negotiations because it may not be granted and does not dispose of the entire case.
- There being nothing further, the Court adjourned.